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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 JOSHUA D. BRODSKY,

Case No. 2:13-cv-02249-JAD-GWF

9 *Plaintiff,*

10 vs.

ORDER

11
12 DR. MANDORTA, *et al.*,

13 *Defendants.*
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15 This *pro se* prisoner civil rights action by a detainee in the Clark County Detention
16 Center (CCDC) comes before the Court on plaintiff's motion (Doc. 3) styled as an emergency
17 motion for demand for treatment.

18 Plaintiff alleges in the complaint that he has been denied adequate medical care
19 following upon a stroke or stroke-type incident that occurred and/or was diagnosed while he
20 was in custody. He maintains in the motion that he was discharged from the medical unit
21 within CCDC on December 13, 2013, that his pain medication and walker were discontinued,
22 and that he "now lays in pain and unable to move and has started to have extreme [bowel]
23 movement with lots of blood."

24 The individual defendants have not yet been served at this early juncture. However,
25 the Court finds that service of this order upon the Sheriff for a prompt written response to
26 plaintiff's motion would be in the interests of justice. Plaintiff, *inter alia*, has named all of the
27 individual defendants in their official capacity. The naming of an official or agent of a
28 municipal governmental entity constitutes a suit against the entity itself. The official-capacity

1 claims thus constitute claims against the Las Vegas Metropolitan Police Department ("Metro"),
2 which operates CCDC. Metro may be served under Rule 4(j)(2)(A) by service upon its chief
3 executive officer, *i.e.*, the Sheriff.


4 The Court therefore will order that the Sheriff be served with this order and will direct
5 the Sheriff to file a written response to the motion. The Court will screen the complaint and
6 issue any orders regarding service otherwise of the complaint upon the individual defendants
7 by a separate order. Meanwhile, the Court is seeking to determine whether interim relief is
8 warranted on a lay motion by a local jail detainee regarding his medical care following an
9 alleged stroke.

10 **IT THEREFORE IS ORDERED** that the Clerk of Court shall file the complaint.

11 **IT FURTHER IS ORDERED** that the Clerk shall forward a copy of this order to the
12 Marshal to be served upon Sheriff Douglas C. Gillespie, at 400 S. Martin L. King Blvd., Las
13 Vegas, Nevada 89106, or wherever he may most expeditiously and efficiently be served by
14 the Marshal.

15 **IT FURTHER IS ORDERED** that the Sheriff shall respond in writing to plaintiff's motion
16 (Doc. 3) styled as an emergency motion for demand for treatment within **seven (7) days** of
17 service of this order.

18 Dated: December 30, 2013.

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22 Jennifer Dorsey
23 United States District Judge
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